IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Bail Appl..No. 1044 of 2007()

CMP.240/2007 of J.M.F.C.-I,PEERUMEDU
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PETITIONER/2ND ACCUSED

BALACHANDRAN, S/O.RAGHAVAN NAIR,
MURUKAVILASAM VEEDU, PEERMADE KARA,
PEERMADE VILLAGE.

BY ADV. SRI.R.REJI
SMT.C.A.AJITHA SALAM

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
REPRESENTED BY THE FOREST RANGE,
AZHUTHA RANGE.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1044 OF 2007

Dated this the 21st day of February, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the 2nd accused in O.R. No.1/2007 of Azhutha Forest Range for offences punishable under Secs.27(1)(e)(iii) and (iv) of the Kerala Forest Act for allegedly cutting and removing one teak tree on 22.1.2007 from 1992-93 Eucalyptus plantation in Thottappura in Peermade village, seeks his enlargement on bail.

2. Eventhough the learned Public Prosecutor opposed the application, having regard to the fact that the cut pieces of the teak timber have been recovered from accused Nos.4 and 5, who were subsequently arrested and having regard to the duration of the judicial custody of the petitioner, who was arrested on 3.2.2007, I am inclined to grant bail to the petitioner, who has no previous antecedence, with effect from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 28.2.2007 on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Peermade and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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